

**CALENDAR ITEM
C21**

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02/07/17
PRC 4057.1
J. Toy

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

William F. Cronk III and Janet M. Cronk, Co-Trustees of the Cronk Revocable Trust, dated December 30, 1981

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 2010 West Lake Boulevard, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and two mooring buoys.

LEASE TERM:

10 years, beginning May 24, 2012.

CONSIDERATION:

This lease provides that lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease and recommends that rent be revised from \$2,371 per year to \$1,608 per year, effective May 24, 2017.

PROPOSED AMENDMENT:

Amend the Lease to replace the existing Land Description, Exhibit A, and Site and Location Map, Exhibit B, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, and 6503.5; California Code of Regulations, title 2, section 2000, subdivision (b).

CALENDAR ITEM NO. **C21** (CONT'D)

Public Trust and the State's Best Interests Analysis:

On May 24, 2012, the Commission authorized a 10-year General Lease – Recreational Use to William F. Cronk III and Janet M. Cronk, Co-Trustees of the Cronk Revocable Trust, dated December 30, 1981, for an existing pier and two mooring buoys ([Calendar Item C41, May 24, 2012](#)). That lease will expire on May 23, 2022.

Staff recommends the rent be revised to \$1,608 per year based changes to the impact area for the pier and application of the updated Lake Tahoe Benchmark. Staff also recommends the lease be amended to reflect the new reduced lease (impact) area.

The recommended action will not substantially interfere with the Public Trust needs at this time and at this location. For these reasons, staff recommends finding the proposed action is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
2. Amendment of the lease to make an adjustment in the lease area and the revision of the rent are not projects as defined by the California Environmental Quality Act, because they are administrative actions that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed amendment of Lease No. PRC 4057.1 will not substantially interfere with the Public Trust needs and values at this location and are in the best interests of the State.

CALENDAR ITEM NO. **C21** (CONT'D)

AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 4057.1, a General Lease – Recreational Use, effective May 24, 2017, to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease will remain in effect without amendment.
2. Approve the revision of rent for Lease No. PRC 4057.1 from \$2,371 per year to \$1,608 per year, effective May 24, 2017.

EXHIBIT A

PRC 4057.1

LAND DESCRIPTION

Three parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 1 of fractional Section 24, Township 15 North, Range 16 East, M.D.B.&M., as shown on Official Government Township Plat approved December 20, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier and catwalk lying adjacent to those parcels described in Grant Deed recorded April 29, 2005 as Document Number 2005-0053249 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s)

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 2 & 3 – BUOYS

Two circular parcels of land, being 50 feet in diameter, underlying two existing buoys lying adjacent to those parcels described in Grant Deed recorded April 29, 2005 as Document Number 2005-0053249 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 11/02/2016 by the California State Lands Commission Boundary Unit.



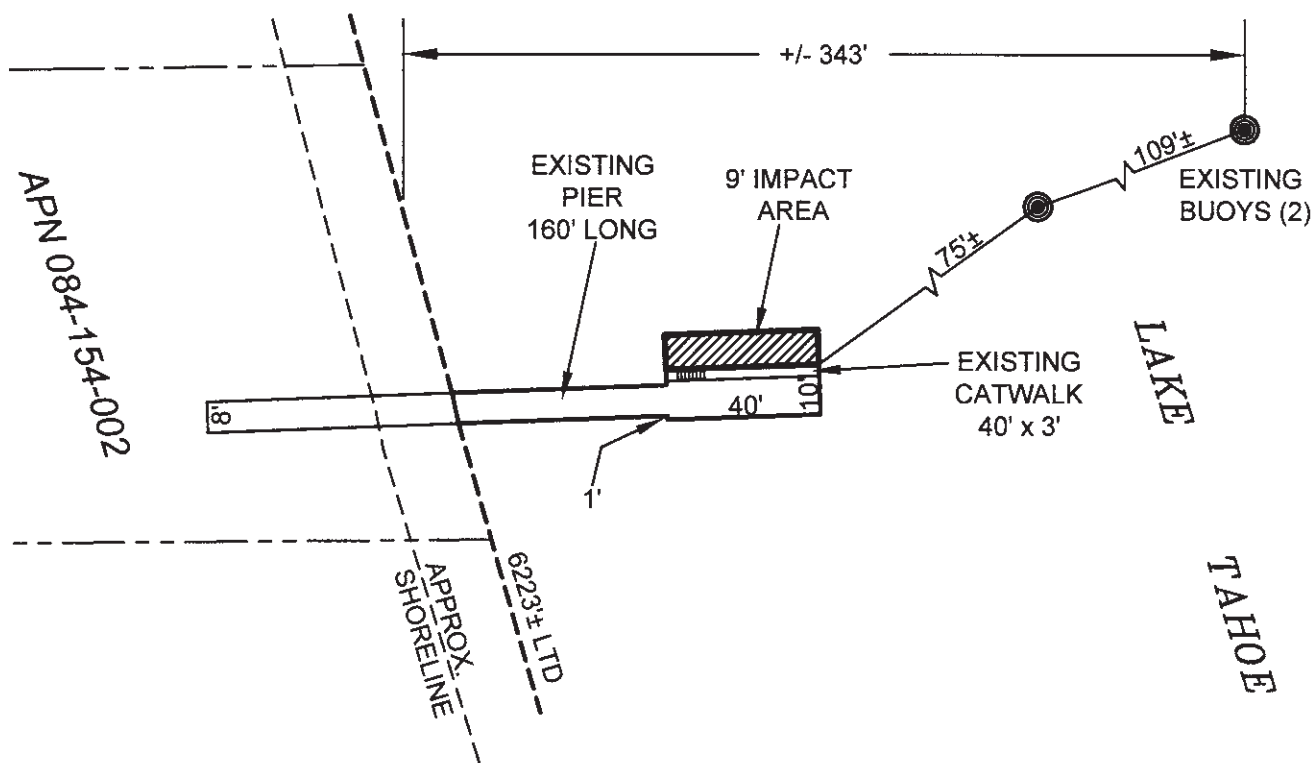


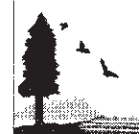
EXHIBIT A

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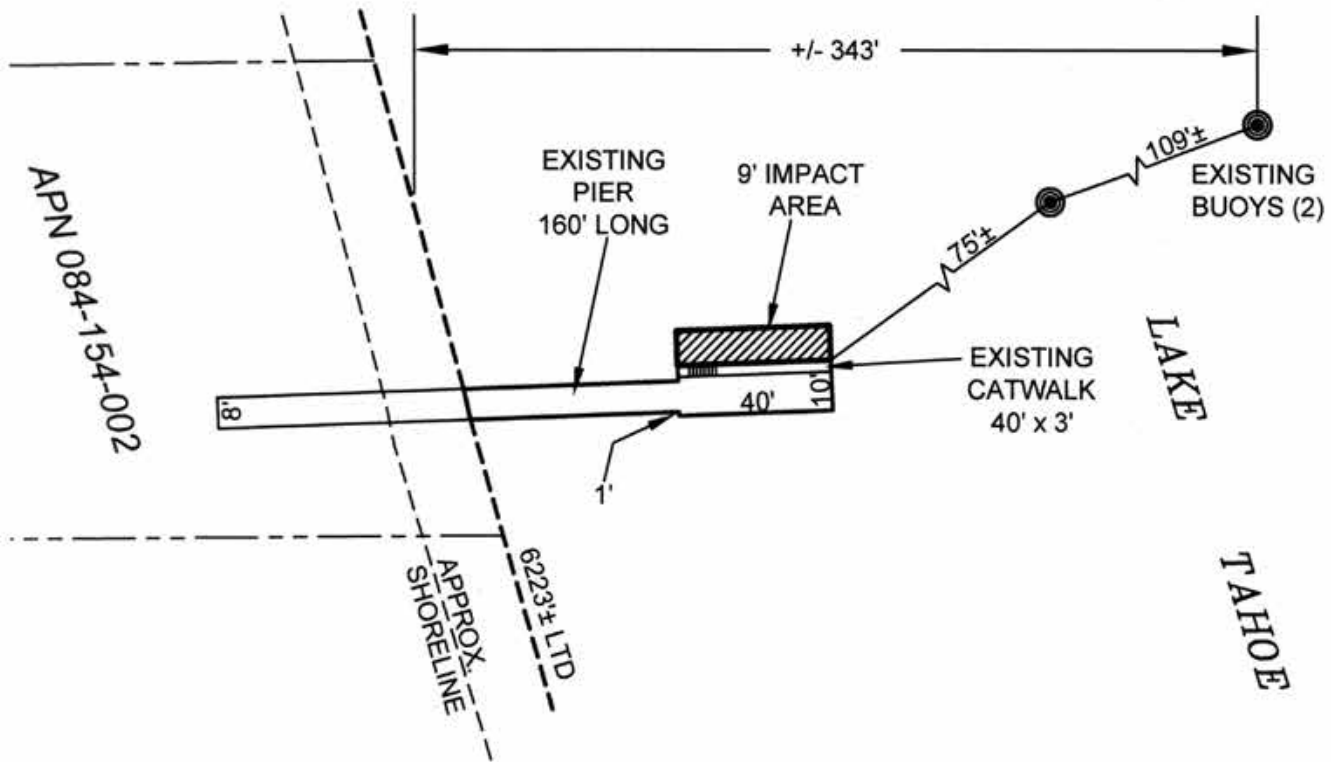
LAND DESCRIPTION PLAT
PRC 4057.1, CRONK TRUST
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

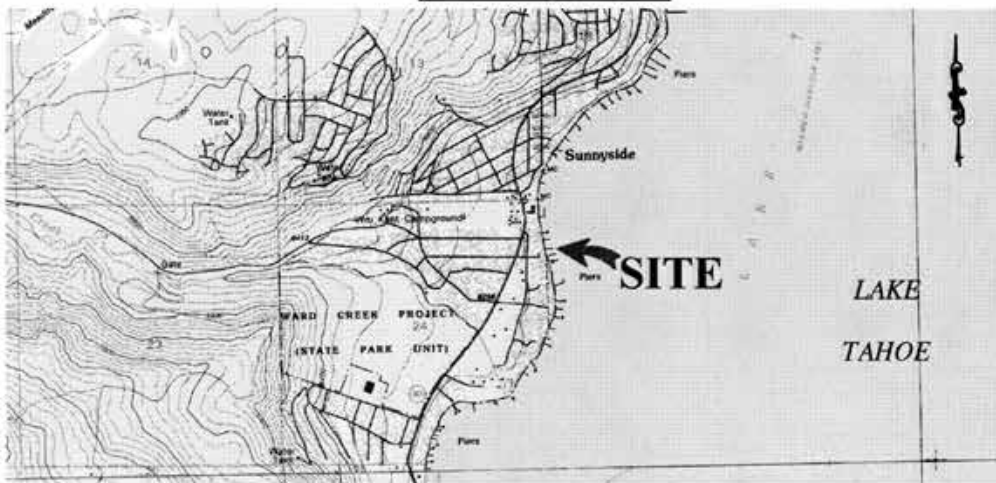
SITE



2010 WEST LAKE BOULEVARD, TAHOE CITY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 4057.1
CRONK TRUST
APN 084-154-002
GENERAL LEASE-
RECREATIONAL USE
PLACER COUNTY



TS 11/02/16